

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HOT SPRINGS DIVISION

CHRISTOPHER EUGENE DE ROSSITTE

PLAINTIFF

v.

Civil No. 6:17-cv-06043

CORRECT CARE SOLUTIONS, INC.; DR.  
NANETTE VOWELL; NURSE MELISSA L.  
GIFFORD; HEALTH SERVICES  
ADMINISTRATOR ANDREA BEASLEY;  
NURSE GWENDOLYN E. HART; NURSE  
NICHOLE A. ROBINSON; RORY GRIFFIN;  
WENDY KELLEY; and NURSE RICHARD  
MORGAN

DEFENDANTS

**ORDER**

Before the Court is a Report and Recommendation filed on February 9, 2018, by the Honorable Barry A. Bryant, United States Magistrate Judge for the Western District of Arkansas. ECF No. 49. Plaintiff has filed timely objections. ECF No. 52. The Court finds this matter ripe for consideration.

In the Report and Recommendation, Judge Bryant recommends that Plaintiff's Motion for Preliminary Injunction (ECF No. 39) be denied. Although Plaintiff has filed objections, in the first paragraph of his objections he states as follows:

The Plaintiff concedes that AS WRITTEN his request for a preliminary injunction should be rejected on the grounds that it is excessively complex, makes multiple assumptions and would require an unnecessary level of Court intervention.

ECF No. 52, p. 1. Plaintiff subsequently "concedes that his injunction request was overly specific and taxing" and:

suggests his injunction request be pared back to this minimum:

1. That medical personnel diagnose and treat those symptoms not previously addressed OR provide justification as to why they should not be.

2. That medical personnel provide effective treatment for the Plaintiff's eyes as effective treatment IS KNOWN, and as not doing so may lead to further damage to his vision.
3. That Vowell and Gifford be prohibited, for the duration of this case, from treating the Plaintiff based on prior acts of retaliation and a clear conflict of interest.

ECF No. 52, pp. 5-6.

Upon consideration, the Court finds that it should adopt Judge Bryant's recommendation that Plaintiff's Motion for Preliminary Injunction (ECF No. 39) be denied. The Court has reviewed Plaintiff's objections to Judge Bryant's Report and Recommendation, but finds that it need not discuss those issues in light of Plaintiff's statement that his Motion for Preliminary Injunction "AS WRITTEN" should be "rejected." Further, insofar as Plaintiff asks the Court to consider an amended request for relief, the Court must decline, as that is not the motion that was considered by Judge Bryant. If Plaintiff wishes for the Court to consider more limited injunctive relief he may so move, but the Court will not evaluate such requests when made in responsive pleadings.

Accordingly, after a *de novo* review and for the foregoing reasons, the Court hereby **ADOPTS** Judge Bryant's Report and Recommendation insofar as it recommends that Plaintiff's Motion for Preliminary Injunction (ECF No. 39) be denied. Therefore, Plaintiff's Motion for Preliminary Injunction (ECF No. 39) is hereby **DENIED**.

**IT IS SO ORDERED**, this 20th day of April, 2018.

/s/ Susan O. Hickey  
Susan O. Hickey  
United States District Judge